

Washington State Center for Court Research (WSCCR) Board Meeting
Thursday, September 27, 2007
AOC SeaTac Office, Kilroy Airport Center

Minutes

Members Present:

Judge Dennis Sweeney (Chair)
Judge William Downing
Dr. Sharon Estee
Mr. James (Kirk) Johns
Dr. Nicholas Lovrich
Judge Alicia Nakata
Mr. David Peterson
Ms. Yvonne Pettus

Members Absent:

Ms. Sharon Paradis
Mr. N. A. (Butch) Stussy
Judge Dennis Yule

WSCCR Staff Present:

Ms. Jenni Christopher
Dr. Carl McCurley
Dr. Tom George

Guests Present:

Mr. Dirk Marler
Justice Bobbe Bridge (by telephone, 4:00 – 4:30)

Call to Order and Review/Approval of Minutes

The meeting was called to order by the Chair, Judge Sweeney, at 1:35pm.

A motion was made and seconded to approve the minutes from the July 12, 2007, meeting, and the minutes were approved.

Announcements

The Board discussed holding board meetings quarterly as opposed to every other month. The Board decided to meet quarterly, with the next meeting scheduled for Thursday, January 10, 2008, at the same time and location.

Board Appointments

Dr. McCurley informed the Board of the new WSBA representative, Janis Carrington. Ms. Carrington's resume was distributed with the board meeting materials. Dr. McCurley stated that Ms. Carrington will be completing the term of Ms. Michels.

Mr. Peterson requested putting the dates of the terms on the Board Members list, and Dr. McCurley said the list will be updated.

Project Report: Juror Research Project

Dr. McCurley informed the Board that the former title of the research project, "Juror Pay Pilot Project," had been changed to "Juror Research Project" at the request of the Deputy Administrator of the AOC.

Ms. Christopher reported that data collection continues. She reported there had been considerable media interest in the previous months. The additional juror pay will continue through the end of October, at which time the second wave of attitude surveys will be distributed. Response rates to the survey have been low, but efforts continue.

Dr. McCurley said the project was still on track for a complete report in May 2008.

Judge Sweeney asked about the impact of low response rates on the validity of the study. Ms. Christopher reported that the representativeness of the sample will be considered when interpreting the results of the attitudinal surveys, but the validity of the objective components of the study would not be affected.

The Board discussed the possibility of presenting some findings (e.g., yield results) prior to the final report in order to inform funding requests and decisions by the Legislature. Dr. McCurley said AOC staff have discussed the issue and is leaning toward a full presentation of the results in late spring.

Project Report: Courthouse Facilitator Project

Dr. George reported that data collection is nearly complete. To date, data has been collected from 20 judicial officers, 16 program administrators, 328 customers, over 400 litigants, and the majority of facilitators around the state (with more extensive data from facilitators in the four target counties). Dr. George reported some findings from the customer satisfaction survey indicating a large majority of customers are satisfied with the services immediately following their visit.

Mr. Marler asked whether data would be available on the impact of the facilitator program on the courts (e.g., number of hearings, length of hearings, impact on court staff time). Dr. George said efforts will be made to assess the time from filing to resolution and the number of hearings using JIS data.

A full report is expected by the end of the year.

Project Report: Context of Superior Court Operations

Dr. McCurley reported that the SCJA asked for results broken down by court size, and the report has been revised. He said the final report will be circulated to the Board prior to its release toward the end of the year.

Other Research Activities

Dr. McCurley discussed other WSCCR research activities. The Unified Family Court Best Practices Survey, a questionnaire on practices pertaining to juvenile offender, truancy, and family law matters, and the extent to which UFC best practices were followed, was developed by the Supreme Court Commission on Children in Foster Care

and their Unified Family Court working group. Center staff have assisted in the analysis and write-up of the survey. Preliminary results were presented to the Commission on Children in Foster Care, and the report should be completed in the near future.

The Center will be involved with the upcoming Interpreter Implementation Study, an evaluation of the impact of increased funding for the Certified Interpreter Program for selected jurisdictions. Dr. George will be working with Court Services staff from the AOC to develop baseline and follow-up measures.

Dr. McCurley reported that the WSCCR also conducts annual judicial needs estimates for superior courts, district courts, and a large proportion of municipal courts. These estimates should be completed in the next week or two. In addition, the Center has been involved with an ad hoc request of judicial needs estimates for the Court of Appeals. Procedures for handling cases, how these procedures vary across the three Divisions, and capacity are being assessed.

Other activities include working with staff in Judicial Education in the AOC regarding discussions of case flow management and the extent to which any automated set of tools can be supported by JIS or the new case management system; working with contractors at the University of Washington to evaluate the CASA program; developing an RFP for a new revenue model due to changes in traffic infractions; and meeting mandatory reporting requirements for the AOC such as reporting on dependency case processing.

Dr. McCurley reported juvenile offender risk assessment data has been obtained by the AOC, and in collaboration with the Institute for Public Policy, will be developing a research database to examine program implementation, treatment effectiveness, risk and protective factors for populations, and other issues. Dr. McCurley also announced that a sociologist from the University of Illinois is interested in working with the WSCCR regarding juvenile offenders who are also involved in dependency cases. The researcher is currently developing a research proposal and seeking funding in order to work with the Center.

Following the discussion of Center activities, the Board discussed the roles and functions of the Board. These included setting priorities, suggesting and initiating research projects, disseminating research findings, and improving communication among members' colleagues and organizations, and other groups within the judiciary.

The Board decided to: (1) create a summary sheet of Center research activities to distribute to the court community and to post the summary sheet on the Center's website; (2) send a representative to a BJA meeting once a year and to request a representative from BJA or Justice in Jeopardy to attend one WSCCR Board meeting a year; and (3) create a role/mission statement. Mr. Johns, Ms. Pettus, and Judge Nakata volunteered to develop the role/mission statement.

WA Court Research Mini-Conference

Dr. Lovrich reported that he contacted a number of university researchers regarding the mini-conference, and all had expressed interest. He emphasized the need to set a time and place well in advance. The Board discussed the best time of year for the conference and the possibility of having it as part of, or adjacent to, an existing judicial

conference. The Board decided to tentatively schedule the mini-conference for the Saturday before the Fall Judicial Conference in Spokane (October 4, 2008).

Law Clerk Survey

Mr. Johns reviewed the issues raised in the previous Board meeting. Regarding the definition of a law clerk, Judge Nakata suggested responses would likely be very different depending on whether the definition referred to a full-time permanent law clerk or a law school student law clerk. Judge Downing suggested narrowing the definition in different parts of the survey, or having respondents clarify how they are defining law clerks in the survey.

Dr. Estee expressed concern about the amount of time spent discussing technical aspects of the survey and the process of having Board members develop research projects. Judge Sweeney agreed that the Board should not be involved with technical aspects of research, but felt it was appropriate for Board members to suggest projects. Dr. McCurley noted the need for Center staff to receive assistance from Board members on particular content issues (e.g., the important issues related to law clerks).

The Board discussed further the purpose and utility of the project. A motion was made and seconded to develop a law clerk survey and to empower Center staff to consult with appropriate professionals, make modifications, and conduct the survey as it sees fit without seeking additional approval from the Board. The motion was approved.

MacArthur Foundation's Models for Change Initiative

Justice Bridge discussed Washington's participation in the MacArthur Foundation's Models for Change program. Washington was one of four states selected, and the Center for Children and Youth Justice was selected as the lead entity in the state. The initiative is a five-year, \$10 million project working in six sites: Spokane, Benton-Franklin, Clark, Pierce, and King counties. The project aims to improve juvenile justice by focusing on three targeted areas for improvement: (1) disproportionate minority contact of children and youth of color in the juvenile justice system; (2) access to mental health services, particularly by youth of color; and (3) the development of alternatives to formal processing in status offender cases.

As a member of the partnership, the Center would work with other state agencies to assist in the development of a risk and needs assessment for status offenders, and to work with the Governor's Juvenile Justice Advisory Committee to develop a uniform, statewide data collection system on disproportionate minority contact. Justice Bridge mentioned that the work of the Center would be compensated by the grant.

Dr. McCurley mentioned that an additional aspect of the work would be to use the risk assessment results to analyze program implementation of evidence-based practices in juvenile courts and assess differential impacts across populations.

In response to questions about the duration and extent of involvement, Justice Bridge said it was largely up to the Center to develop in its proposal to the MacArthur Foundation. She said current proposals from other statewide partners generally involve one to two year projects, but the projects could span the five years of the initiative depending on the Center's proposal.

Dr. McCurley and Justice Bridge said they were asking the Board for its assent to move forward and develop the research proposal and become a partner in the initiative. A motion was made and seconded to participate with the MacArthur Foundation's Models for Change project, and the motion was approved.

Dr. McCurley said the research proposal deadline for submission to the MacArthur Foundation is in December, 2007, and the proposal would be distributed to the Board for review and comment prior to submission.

Next Meeting and Adjournment

The next meeting will be held on Thursday, January 10, 2007, at 1:30pm at the Sea-Tac office.

The meeting was adjourned by the Chair, Judge Sweeney, at 4:30pm.